

1983 Form

In the United States District Court
For the Northern District of Alabama

Eddie Vandergift

CV-17-Form 235-01

(Enter above the full name(s) of the plaintiff(s) in this action)

Captain John Hutton
Warden Willie Thomas
Warden Deborah Toney
Warden Willie Bennett

(Enter above full name(s) of the defendant(s) in this action)

I. Previous lawsuits

- A. Have you begun other lawsuits in state or federal court(s) dealing with the same facts involved in this action or otherwise relating to your imprisonment? Yes No
- B. If your answer to A. is "yes", describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuit(s) on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit

Plaintiff(s):

Defendant(s):

2. Court (if Federal Court, name the district; if State Court, name the county)

3. Docket Number

4. Name of judge to whom case was assigned

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

(Signature)

6. Approximate date of filing lawsuit _____

7. Approximate date of disposition _____

II. Place of present confinement _____

A. Is there a prisoner grievance procedure in this institution?
Yes No

B. Did you ~~present~~ the facts relating to your complaint in the state prisoner grievance procedure?
Yes No

C. If your answer is YES:

1. What steps did you take?

*I Filed A GRIEVANCE AS
ALLOWED TO CORRECTIONAL OFFICER SGT. SEALEY*

2. What was the result?

*I Received NO RESPONSE
AT ALL*

D. If your answer is NO, explain why not?

III. Parties

In item A below, place your name(s) in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.

A. Name of plaintiff(s) *Eddie VANDERGRIFF*

Address *565 BIBB LANE, BENTON AIA. 35034*

In Item B below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use Item C for the names, positions, and places of employment of any additional defendants.

- B. Defendant Captain John Hutton
is employed as CAPTAIN OF SECURITY
at BiBB CORRECTIONAL 565 BiBB LANE, BRENT AIA. 35034
- C. Additional Defendants WARDEN WILLIE THOMA, WARDEN DEBORAH TOMEY, WARDEN WILLIE BENNETT
ALL ADDRESSED AT 565 BiBB LANE,
BRENT, AIA. 35034

IV. Statement of Claim

State here, as briefly as possible, the FACTS of your case. Describe how each defendant is involved. Include, also, the names of other persons involved, dates and places. *Do not give any legal arguments or cite any cases or statutes.* If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets, if necessary.

ON OCTOBER 16, 2016 AT APPROXIMATELY 5:30 p.m
I WAS ASSIGNED TO F-1-DORMITORY, AND DURING
THE ALLEGED TIME "I WAS ASLEEP IN MY BED"
AS I WAS AWAKEN BY A INSTITUTIONAL MENTAL
PATIENT" KNOWN AS INMATE HAYNES, AS THIS INMATE
BOILED HOT WATER, WITH SHAVING POWDER AND
BABY OIL MIXED TOGETHER ON ME WHILE I WAS
ASLEEP, AND WHEN I AWOKE FROM SLEEP "I
JUMPED OUT OF BED TRYING TO GET AWAY FROM
THE INMATE" BUT THE INMATE HAD A PRISON
MADE KNIFE AS HE APPROACHED BEHIND ME
AND WAS ABLE TO STABB ME TWICE AT THE

base of my neck, as other inmates had to secure the inmate "because there was no officer inside the dormitory, and this incident was captured under video surveillance from October 16, 2016.

I WAS TAKEN TO THE PRISON HEALTH CARE

V. RELIEF

State briefly ~~exactly~~ what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

I AM ASKING THE COURT OF MONETARY DAMAGES IN THE AMOUNT OF \$200,000.00 DOLLARS, DUE TO PUNITIVE DAMAGES MENTAL STRESS, PAIN AND SUFFERING, AND BURN MARKS FOR LIFE OVER 70% OF MY UPPER BODY

"I declare under penalty of perjury that the foregoing is true and correct.

Executed on 2-8-17
(date)

Eddie Vandergift
Signature(s)

Continued statement
OF CLAIM

UNIT BY INMATES AND A OFFICER, AND once I WAS BEING TREATED BY NURSES "I WAS TOLD BY A NURSE, THAT IF ONE OF THE STABB WOUNDS WOULD HAVE BEEN A HALF-INCH DEEPER, I HAD A 99.9% CHANCE OF DYING.

ALSO, I RECEIVED 3rd Degree BURNS TO MY CHEST, SHOULDERS, NECK, AND BACK AREA "WHICH I'M SCARED FOR LIFE" AND I WAS SENT TO THE BROOKWOOD MEDICAL CENTER "WHERE DOCTORS SEwed up my stabb wounds, AND TOLD ME I WAS BLESSED TO BE ALIVE OR WALKING.

AFTER RETURNING BACK TO BIBB COUNTY PRISON FACILITY "I WAS PLACED INTO THE PRISON HEALTH CARE UNIT, WHERE I WAS BEING TREATED DAILY FOR MY BURNS" AND RECEIVED CHANGING OF BANDAGES, TWO OR THREE TIMES A DAY "AS I DID REMAIN IN THE HEALTH CARE UNIT FROM MID-OCTOBER, UNTIL NOVEMBER 6, 2017

AFTER BEING RELEASED FROM THE PRISON HEALTH CARE UNIT "I MET WITH INTERNAL INTELLIGENCE UNIT" AND WAS ASKED DID I WANT TO PRESS CHARGES ON THE INMATE WHO HAD STABBED ME, AND CAUSED SEVERE BURNS UPON MY BODY "AND I TOLD THEM YES" I WANTED TO PRESS CHARGES.

Continued CLAIM

(2)

AND I WAS THEN TOLD, THAT THIS WAS A LACK OF SECURITY MATTER, UNDER VIDEO SURVEILLANCE.

ALSO, EVERY SINCE THE INCIDENT HAS TAKEN PLACE "I HAVE BEEN MENTALLY STRESSED, I CAN'T REALLY SLEEP, BECAUSE OF BEING AFRAID" AND THE MORE I THINK ABOUT THE MATTER ITS HURTFUL TO UNDERSTAND "THAT MY UPPER BODY WILL HAVE SEVERE BURNS THE REST OF MY LIFE" ALL BECAUSE OF PRISON OFFICIALS LACK OF SECURITY.

Respectfully Submitted

Eddie Vandergift

Hollie VANDERKIRK #158266 E-3-10A
5605 BIBB AVE
BRENT, ALA. 35034

U.S. DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
1729 5TH AVE NO.
B'HAM, ALA. 35203

Legal
Mail

BIRMINGHAM, AL 35203
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